

705 COLLECTION OF SOLID WASTES

705.1 Each premises or part of a premises where refuse are generated and where those wastes are not collected by the District shall be serviced by a licensed solid waste collector.

705.2 Solid wastes shall be collected as follows:

- (a) At least twice per week unless fewer collections are approved by the Mayor; and
- (b) Once per week for premises on Supercan routes.

705.3 Collectors shall not permit spillage from solid waste containers or collection vehicles or otherwise contribute debris at the point or area of collection.

705.4 The collection of wrapped food waste (garbage) or a combination of wrapped food waste with rubbish, in vehicles other than enclosed collection vehicles is prohibited, with the following exceptions:

- (a) Open bodied collection vehicles licensed by the District of Columbia as of February 29, 1980, to collect refuse so long as the vehicles are securely covered with a heavy duty canvas or its equivalent, while the waste is being transported;
- (b) The collection of rubbish, bulky waste, construction, and demolition wastes in open body collection vehicles, so long as the vehicles are securely covered with a heavy duty canvas or its equivalent while the waste is being transported;
- (c) The transport of enclosed containers of compacted and non-compacted rubbish and construction and demolition wastes in collection vehicles specifically designed or adapted for those purposes, so long as the containers have a minimum capacity of six cubic yards (6 yds³) with all openings securely closed while the waste is being transported; and
- (d) The transport of open-top containers of non-compacted construction and demolition wastes in collection vehicles specifically designed or adapted for those purposes, so long as the open-top containers have a minimum capacity of three cubic yards (3 yds³) and are securely covered with heavy canvas or its equivalent while the waste is being transported.

705.5 Residents of properties where solid wastes are collected by the District, excluding bulk wastes handled by special collection, shall do the following:

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- (a) Place the solid waste in legal containers, in a manner so as to prevent litter, at the point of collection no earlier than 6:30 p.m. on the day prior to the collection day and no later than the time of collection determined by the Director, on the collection day; and
- (b) Return to private property by 8:00 p.m. of the collection day all emptied solid waste containers including Supercans.

- 705.6 Household hazardous wastes shall not be included with solid wastes.
- 705.7 Bundles of solid waste to be collected which are not placed in containers (when permissible under this chapter) shall be tied and shall not exceed four feet (4 ft.) in length.
- 705.8 All owners and occupants of private and public collection properties shall separate recyclable items for recycling collection. An owner may provide through a lease agreement for an occupant to be responsible for separating these materials for recycling, in which case the occupant shall also be responsible for meeting the requirements of this subsection and § 705.9. Notwithstanding the existence of such a lease agreement, the owner shall also be responsible for complying with this subsection and § 705.9 except where the Director determines that there are circumstances that warrant holding the occupant liable for compliance. The Director may issue a notice of violation to the occupant or to the owner.
- 705.9 Materials that are separated for recycling shall be stored in bins, dumpsters, or other containers that are not used for the simultaneous storage of refuse (trash) and recyclable materials.
- 705.10 Each owner of a commercial property shall be responsible for the separate removal of recyclable materials by a registered solid waste collector or pursuant to a self-implementation plan submitted to and approved by the Office of Waste Diversion.
- 705.11 Each owner of commercial property shall, at least once a year, provide written notice to any tenants or occupants of the property of the legal requirement that certain materials be separated for recycling, the types of materials to be separated, how and where recyclables shall be taken in order to be collected for recycling, and the name and contact information of any recycling coordinator for the property.
- 705.12 Each owner of commercial property shall post and maintain at least one (1) sign where solid waste is collected or stored that sets forth what materials are required to be source separated and states the collection procedures for such materials, and shall post at least one (1) sign at containers where recyclables are collected stating what materials may properly be placed in them. The owner may provide through the lease agreement that an occupant shall be responsible for posting and

maintaining such signs, in which case the occupant shall also be responsible for meeting the requirements of this subsection. Notwithstanding the existence of such a lease agreement, the owner shall be responsible for complying with this subsection except where the Director determines that there are circumstances that warrant holding an occupant liable for compliance. The Director may issue a notice of violation to an occupant or to the owner.

- 705.13 A solid waste collector shall not simultaneously transport recyclables along with other materials for disposal in the same vehicle at the same time except pursuant to a written waiver of this requirement issued by the Director or designee.
- 705.14 A written waiver shall only be issued to a registered solid waste collector if the collector demonstrates to the Director that the recyclables will be transported in a vehicle that does not compress or compact its contents. The collector shall also demonstrate that the method used for simultaneously transporting the materials ensures that recyclables will not be commingled with non-recyclable materials and that the recyclables will not be disposed of in any way other than by recycling.
- 705.15 The Director may revoke a written waiver if the Director finds that the conditions for receiving a waiver are not being met.
- 705.16 The contents of vehicles hauling solid waste to any District of Columbia disposal facility shall be subject to visual inspection for evidence of recyclables, as defined in this chapter. If recyclables are detected, the driver of the vehicle shall be required to dump the load in an area away from regular dumping activities. Refuse (trash) loads shall not contain substantial amount of recyclables (approximately thirty percent (30%)).
- 705.17 No person shall remove recyclable materials that have been placed out in containers for collection by a solid waste collector, other than the solid waste collector or the person who placed out the recyclable materials.
- 705.18
- (a) Newspaper, office paper, metals, glass, paperboard, cardboard, narrow necked plastic bottles, and other recyclables shall be recycled in accordance with this chapter.
 - (b) Beginning on January 1, 2018, the Mayor's List of Recyclables and Compostables shall prescribe the source separation requirements for all premises within the District of Columbia.
 - (c) Prior to January 1, 2018, items identified as recyclable on the Mayor's List of Recyclables and Compostables that are not listed in § 705.18 (a) may be considered recyclables or refuse (trash) for the purposes of source separation requirements.

- (d) Beginning on January 1, 2018, items identified as recyclable on the Mayor's List of Recyclables and Compostables shall be source separated into dedicated receptacles for recycling.

SOURCE: Regulation No. 71-21 approved June 29, 1971, published at 18 DCR 16 (July 12, 1971); as published at 8 DCRR §§ 8-3:603(d), (i), and (j), 8-3:604(a)-(c), and 8-3:604(g)(1),(2),(3); as amended by § 2(b)(1) of the Solid Waste Control Act of 1977, effective April 6, 1978 (D.C. Law 2-69; 24 DCR 6800 (February 17, 1978)); as amended by §§ 2(b), (1-4) of the Solid Waste Regulations Amendment Act of 1980, effective May 31, 1980 (D.C. Law 3-69; 27 DCR 1553 (April 18, 1980)); by § 2(b) of the Solid Waste Regulations Amendments Act of 1983, effective August 2, 1983 (D.C. Law 5-20; 30 DCR 3331 (July 8, 1983)); as amended by §§ 3(b), (c) of the Litter Control Expansion Amendment Act of 1987, effective October 9, 1987 (D.C. Law 7-38; 34 DCR 5326 (August 14, 1987)); as amended by Final Rulemaking published at 64 DCR 13076 (December 22, 2017).